



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 61
Commerce #: 53704-3029-01-A
BRRTS #: 03-13-002882
Site Name: Warner Park Quik Mart
Site Address: 3101 N Sherman Ave, Madison, 53704
Site Manager: Larry Lester
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3465
e-mail: lawrence.lester@wisconsin.gov
Bid Manager: Jon Heberer
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-5405
e-mail: Jon.Heberer@Wisconsin.Gov

Bid-Start Date:	June 22, 2009
Questions must be received by (See Section 2 (B)):	July 06, 2009, 4:00 PM
Responses will be posted by (See Section 2 (B)):	July 24, 2009
Bid-End Date and Time:	August 07, 2009, 4:00 PM

Excerpts of report(s) and other pertinent information are included with this bid as a separate Adobe® pdf-formatted document for viewing and downloading. No copy shop is being used for purchase of hard copies of this information.

The case file that includes all reports submitted to date and upon which bids are being sought is available for review at the Site Manager's office location listed above. Please contact the Site Manager for an appointment to review the file.

SECTION 2 – Site-Specific Bid Requirements

General Comments

Several phases of investigation have already been completed. During a petroleum distribution system upgrade in November 1996, contamination was observed. Approximately 2000 tons of impacted soil was removed at the time of the upgrade. Several soil probes were performed and five groundwater-monitoring wells were installed between November 1996 and March 1997. An additional 208 tons of contaminated soil was removed in August 1998 in the area of the most contaminated soils.

The soils are a lean clay fill material underlain with lean clay and poorly graded sand. Bedrock was not encountered during drilling activities. The depth to groundwater from 1997 to 2002 has been approximately 15 to 18 feet below ground surface, recently during 2008 as shallow as approximately 8 to 11 feet, and the groundwater flow direction is variable. The groundwater flow from April through October seems to go easterly. The groundwater flow in January and February is more southerly or southeasterly. The flow in March was documented to be more westerly. The horizontal gradient was calculated to be 0.0008 ft/ft. The hydraulic conductivity was about 1.3×10^{-3} cm/sec for the poorly graded sand materials.

Groundwater contamination is present at the site. Monitoring well MW-2 has had free product from 1996 to 2002 at varying levels. Soil was observed to be contaminated above NR 746 Wisconsin Administrative Code Table 2 values at soil boring GP-10.

A more complete description of the site investigation and remediation history is contained in the file information. Relevant information from the case file may be obtained on the Commerce PECFA Public Bidding website. The entire case file may be reviewed at the WDNR South Central Region office in Fitchburg, Wisconsin.

Minimum Remedial Requirements

Activities under this work scope should commence within 2 months after obtaining a signed contract. The scope of work to be performed is predominantly site investigation activities.

Install 3 additional 2-inch monitoring wells at the site to further define the extent of the groundwater contaminant plume on the adjacent property. Two monitoring wells shall be installed as water table monitoring wells with a screened interval of 15 feet. The screened interval is expected to be approximately from 6 feet to 21 feet below ground surface for the water table monitoring wells. One monitoring well shall be installed as a piezometer adjacent to monitoring well MW6. The screened interval for the piezometer is expected to be approximately from 35 feet to 40 feet below ground surface. Analytical soil sampling will not be required during well installations. Each new monitoring well should be finished off above grade, flush mounts are not desired. Refer to the figure for the proposed monitoring wells locations. Any revisions to the monitoring wells locations must be approved by the WDNR and COMM prior to installation.

Bidders should include costs for obtaining off-site access and/or city permits. Bid costs shall include all waste disposal, development of the new monitoring wells, and survey costs. All investigative waste during the site activities shall be removed when generated, no waste shall be temporarily stored on site. Toxicity Characteristic Leaching Potential (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required. The new monitoring wells and all existing monitoring wells shall be surveyed.

Collect groundwater samples from existing monitoring wells MW-1, MW-2, MW-3, MW-4, MW-5, MW-6, and the three new monitoring wells, on a quarterly basis for 4 quarters. At a minimum, monitoring shall include the analyses for petroleum volatile organic compounds (PVOCs), naphthalene, and appropriate field and laboratory natural attenuation parameters. Analysis for VOCs shall be conducted for the first round sampling of the newly installed monitoring wells. Water level elevations and free product thickness shall be measured at all of the monitoring

wells during each sampling event. If free product is present, measure and abate the product and collect a groundwater sample without product using an appropriate technique during sampling events. No socks shall be placed in any of the wells between sampling events.

Quarterly progress reports shall be submitted to the WDNR and Commerce. These reports shall include free product measurement data, groundwater sample results, groundwater flow and contaminant isoconcentration maps, waste disposal documentation, well installation documentation, etc. Water table elevations, obtained for each sampling round shall be presented in tabular form. The reports will include, but not be limited to, required and customary data and documentation, such as tables and figures depicting groundwater chemistry and flow, and copies of laboratory reports and chain of custody forms. In addition, the final report must include an evaluation of the date and a recommendation for the most practicable remedy at the site. Property boundaries in common with all adjacent properties shall be depicted on all site figures. Copies of all reports shall be sent to WDNR and Commerce project managers.

While this bid is not a bid to closure, there is a possibility of additional groundwater monitoring or attaining closure at the conclusion of the work scope conducted under this bid. If closure is appropriate, a recommendation for closure should be provided in the final report mentioned above. If the WDNR project manager concurs with this recommendation, prepare and submit a complete closure report and GIS Registry packet (consistent with ch. NR 726, Wis. Adm. Code requirements) for closure consideration by the WDNR (and provide a copy to Commerce). For the purposes of the bid, bidders should include costs for additional monitoring and all closure-related costs (including, but not limited to final well abandonment costs, closure form and narrative, GIS packet, deed restriction and maintenance plan) in their bid.

On page two of the bid response, provide a separate line item that provides the amount of the total bid cost that is associated with the additional monitoring and closure-related costs. If additional monitoring is required or closure is available following the work scope activities conducted, then the cost cap established by this bid will be modified by the amount of the additional monitoring or closure-related costs.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.

7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this

bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.

9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 61

(1st Page)

Department of Commerce PECFA Program

Site Name: Warner Park Quik Mart

Commerce #: 53704-3029-01-A

BRRTS #: 03-13-002882

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 61**(2nd Page)**

Department of Commerce PECFA Program

Site Name: Warner Park Quik Mart**Commerce #: 53704-3029-01-A****BRRTS #: 03-13-002882****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Monitoring well installation <i>Including off-site access and/or city permits, waste disposal, development, and survey costs</i>	\$
2	Groundwater Sampling, Quarterly for one year <i>Including laboratory analyses and waste disposal</i>	\$
3	Reporting	\$
4	PECFA Claim Preparation	\$
	Total Bid Amount	\$
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)		
•	Groundwater monitoring, per well, per event <i>Including analytical costs and waste disposal</i>	\$
•	Closure-related costs (lump sum) <i>Including but not limited to case summary and closeout form and report, GIS Registry requirements, appropriate notification to the public, and well abandonment costs</i>	\$
•	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	\$